

Notice of Allowability

Application No.

09/603,515

Examiner

Stefano Karmis

Applicant(s)

FORAY ET AL.

Art Unit

3624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Applicant's amendment, filed 23 December 2004.
2. ☒ The allowed claim(s) is/are 1-22.
3. ☒ The drawings filed on 25 November 0203 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

1. This communication is in response to Applicant's amendment filed on 23 December 2004.

Status of Claims

2. Claims 1 and 12 are currently amended. Claims 5, 7, 8, 13, 14, 19 and 21 are previously presented. Claims 23 and 24 have been cancelled. Claims 2-4, 6, 9-11, 15, 16, 18, 20 and 22 are originally filed. Therefore claims 1-22 are under prosecution in this application.

Response to Arguments

3. Claims 23 and 24 are now cancelled and therefore any arguments regarding these claims are now considered moot. Claims 1-22 are allowed.

Allowable Subject Matter

4. The following is a statement of reasons for the indication of allowable subject matter.

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5. The prior art of record (Togher et al., U.S. Patent 6,014,627) teaches credit management for an electronic brokerage system in which an anonymous trading system identifies the best bids and offers from those counterparties with which each party is currently eligible to deal. A plurality of arbitrators acts as matching engines connected to the system for matching bids and offers between counterparties. Each matching engine processes deals independently from the other matching engines, thus allowing matching in one trading regions to be performed at the same time of matches in an alternate trading region, see page 5, line 31 thru line 67.

The prior art of record fails to teach an anonymous trading system for trading fungible instruments between traders wherein a plurality of matching engines is connected to each of the other matching engines and, at no time is more than one of said matching engines actively performing matching and deal execution, the remaining matching engines being passive and the respective market distribution means of said remaining passive matching engines distributing price messages from the active matching engine to their associated order input devices as specified in the amended specification's replacement pages 11, line 12 thru page 13, line 22 submitted on the 14 June 2001. For these reasons claims 1 and 12 are deemed to be allowable over the prior art of record, and claims 2-11 and 13-22 are allowable by dependency.

6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a) U.S. Patent 5,289,578 Hartheimer et al., 22 February 1994. Activation of a Dormant Sibling Computer In a Communication Network By Overriding a Unique Dormant Node Address with a Common Active Node Address.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stefano Karmis whose telephone number is (703) 305-8130. The examiner can normally be reached on M-F: 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on (703) 308-1065. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Respectfully Submitted
Stefano Karmis
04 April 2005


HANI M. KAZIMI
PRIMARY EXAMINER